

# State Coastal Conservancy

*June 15, 2017 Legislative Report*

## *Park and Water Bond Bills*

### **AB 18 (Garcia, Eduardo D) California Clean Water, Climate, Coastal Protection, and Outdoor Access for All Act of 2018**

*Location: Senate Desk*

AB 18 would authorize issuance of \$3.105 billion of state general obligation (“GO”) bonds to finance parks, water, climate adaptation, coastal protection, and outdoor access programs.

The current version of the bill allocates a total of \$158 million to the Conservancy as follows:

- \$5 million to the Santa Ana River Conservancy Program of Coastal Conservancy for purposes of that program.
- \$40 million to the San Francisco Bay Conservancy Program for purposes of that program.
- \$95 million to Coastal Conservancy “for the protection of beaches, bays, and coastal watershed resources, including the protection of coastal agricultural resources and projects to complete the California Coastal Trail”.
- \$18 million to Coastal Conservancy, via the Climate Resilience Account in the Coastal Trust Fund, for projects “that assist coastal communities, including those reliant on commercial fisheries, with adaptation to climate change, including projects that address ocean acidification, sea level rise, or the protection of habitat associated with the Pacific Flyway.”

In addition, the Conservancy may compete for Trails and Greenway Investment funds allocated to the California Natural Resources Agency.

### **SB 5 (De Leon D) California Drought, Water, Parks, Climate, Coastal Protection, and Outdoor Access for All Act of 2018**

*Location: Assembly Desk*

SB 5 would authorize the issuance of \$3.5 billion of GO to finance a drought, water, parks, climate, coastal protection, and outdoor access for all program.

The current version of the bill (5/26) would make available to the Conservancy \$154.4 million as follows:

- \$3 million to the Santa Ana River Conservancy Program of Coastal Conservancy for purposes of that program.
- \$42 million to the San Francisco Bay Area Conservancy Program for program purposes.
- \$99,840,000 for Division 21 purposes, including \$30 million for restoration of Southern California steelhead habitat.
- \$9.6 million for a conservation program for the West Coyote Hills in northern Orange County (See SB 714 below).

In addition, the Conservancy may compete for Trails and Greenway Investment funds allocated to California Natural Resources Agency.

## *Other Bills*

### **AB 250 (Gonzales Fletcher D) State Coastal Conservancy: Lower Cost Coastal Accommodations Program**

*Location: Senate Rules Committee*

This bill adds a new chapter, Chapter 10 (Lower Cost Coastal Accommodations Program), to Division 21 of the Public Resources Code to *require* the Conservancy to undertake the following actions:

- Develop and implement a Lower Cost Coastal Accommodations Program to facilitate improvement of existing, and the development of new, lower cost accommodations within one and a half miles of the coastal zone.
- Prepare an assessment of lower cost accommodations that includes specified elements.
- Update the assessment at least every five years.
- Consult with State Parks, the Commission, local and regional public agencies (park agencies, open space districts, community service districts, etc.), and conservation and community groups regarding development of the Program.

The bill requires the assessment to include a description of specific opportunities on public lands and lands owned or operated by non-profit organizations. Lands may include, but are not limited to, state, regional and local parks, lands held by harbor or open space districts, and national parks and other federally managed lands. Under AB 250, eligible accommodation types include, but are not limited to, campgrounds, cabins and hostels.

To help fulfill the bill's purposes, AB 250 *authorizes* the Conservancy to develop and implement a pilot program for projects involving non-profit and for-profit private entities. AB 250 permits the Conservancy to purchase (from willing sellers) and operate existing lower-cost accommodations through leases or operating agreements with qualified for-profit entities; resell these existing accommodations to willing buyers, including for-profit entities and qualified non-profit organizations; and provide loans, grants or other financial assistance to these private entities to acquire or improve accommodations. Sales of real property to private entities are subject to deed restrictions or other legally enforceable instruments intended to preserve lower-cost accommodations for at least 30 years following the date of sale.

Under the pilot program, accommodations may include campgrounds, cabins, hostels, limited stay recreational vehicle parks, motels, and hotels, but not private residences.

The bill authorizes that any in-lieu fees assessed for lower-cost accommodations in the coastal development permitting process by state (Coastal Commission) or local public agencies, but not expended by January 1, 2018, may be expended for lower-cost accommodations projects if appropriated by the legislature or allocated to the Conservancy by a local public agency.

### **AB 388 (Mullin D) Greenhouse Gas Reduction Fund: wetland restoration projects**

*Location: Senate Environmental Quality Committee*

This bill would authorize use of the moneys in the Greenhouse Gas Reduction Fund for the use of dredged material for wetland restoration projects, including projects that provide flood protection and carbon sequestration, if the investment furthers the regulatory purposes of the California Global Warming Solutions Act of 2006 (AB 32).

**SB 714 (Newman) West Coyote Hills Conservancy Program**

*Location: Senate Natural Resources and Water Committee*

This bill would establish the West Coyote Hills Conservancy Program in the Coastal Conservancy. The bill would authorize the Conservancy to undertake projects and award grants for projects in the West Coyote Hills area of northern Orange County to protect and restore habitat, connecting corridors, and other open space resources of regional significance, as well as promote projects that provide nearby populations with recreational and educational opportunities. It would also require the Conservancy to develop a plan for the program and consider adopting the plan.

The 510-acre West Coyote Hills in the City of Fullerton are owned by Chevron and its subsidiary, Pacific Coast Homes. Pacific Coast Homes has entitlements to build on a portion of the property, but litigation and ongoing controversy over development plans have spurred residents and non-profit organizations in the area to press their case for permanent protection of the property in its entirety.

SB 5, the Senate parks and water bond bill, allocates \$9.6 million to Coastal Conservancy for a program of conservation in the West Coyote Hills.

**AB 633 (Bloom D) Coastal resources: low- and moderate-income housing**

*Location: Failed deadline and sent to Assembly inactive file. May be acted upon in January 2018*

This bill would require lower-cost visitor and recreational facilities, as well as housing for persons of low and moderate income, in the coastal zone to be “protected, encouraged, and, where feasible, provided.

The bill would prohibit the Coastal Commission from (1) requiring overnight room rentals be fixed at a certain amount for any privately owned and operated hotel, motel, or other similar visitor-serving facility located on either public or private lands; and (2) establishing or approving any method for the identification of low- or moderate-income persons for the purpose of determining eligibility for overnight room rentals in any such facilities.

**AB 1235 (Daly D) Santa Ana River Conservancy Program**

*Location: Held in Assembly Appropriations suspense file*

This bill would appropriate the sum of \$20,000 from the General Fund to Coastal Conservancy to be expended for purposes of the Santa Ana River Conservancy Program in the Conservancy.